

MADRAS RECORD OFFICE.

Government of Madras.

General DEPARTMENT.

G.O. No.	1191	Press
		~~Mis.~~
Dated	25-7-1867	

285-288

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
25th July 1867.*

No. 285. Read the following letter from H. D. COOK, Esq., Civil Judge of Coimbatore, to the Acting Chief Secretary to Government, Fort Saint George; dated Coimbatore, 9th July 1867, No. 10.

I have the honor to lay before Government the following facts connected with the Moonsiff's Court-house about to be erected at Erode, as sanctioned in Proceedings of Government, dated 1st May last, No. 1302.

2. On the 4th June last, the District Moonsiff of Erode (now stationed at Bhowany) submitted to me a report adducing objections to the plan of the building. He stated that it consisted of a hall 32' x 22' 9", one room 13' 6' square, and two narrow verandah rooms 13' 6' x 7' 9" each; that one of these rooms was intended as a record-room, another as the Moonsiff's private room, while the third was the only one available for the establishment, and was quite insufficient to afford space for nine Goomastahs, four copyists, besides fifteen Vakeels and their Goomastahs, two peons, four Ameens, and sixty batta peons—it being out of question, both for the safety of the records and the proper transaction of business, to allow the Goomastahs and copyists to occupy any part of the hall which is open to parties, witnesses and spectators; that no provision was made for shelving the record-room, for providing a room and shed for securing attached property and cattle, and for a place for a compound.

3. I addressed the Superintending Engineer of this Division on the subject, and asked him to prepare a revised plan, but that Officer answered that he had ordered all work for the Court to be suspended, but that he could not prepare a new plan until the orders of Government shall have been obtained and full particulars supplied as to the number of persons to be accommodated, and into what number of rooms they should be distributed.

4. I called on the Moonsiff for the information required by the Engineer, and, in replying, the Moonsiff forwarded a plan of what he considered a suitable Court-house.

5. I forwarded the plan to the Engineer for his opinion, and he considers it a very sensible one, and that the demand for additional space was not excessive, though he suggests a very slight alteration in one of the rooms.

6. I beg to enclose herein a copy of the plan which is at present sanctioned, the plan submitted by the Moonsiff and the Superintending Engineer's letter, and the Moonsiff's Memoranda setting forth objections to the present plan.

7. I consider that the objections stated by the Moonsiff are sound and reasonable, and would respectfully beg that Government may sanction the adoption of the plan.

8. I beg further to forward a sketch plan of a covered cattle pound, also to be approved by Government. The District Moonsiff of Collegal represents that there is no pound attached to his Court for securing distrained cattle, and urges the necessity for a covered pound. The District Moonsiff of Erode has, as stated in paragraph 2 of this letter, also alluded to the subject, and I consider such a one quite needed.

No. 44.

MEMORANDUM.

The Government has been pleased to sanction the erection of a Court-house at Erode, at the cost of a sum of Rupees 2600.

2. The plan of the building, which is said to be the standard one, consists of a hall 32' x 22'-9", "a record-room 13'-6" x 13'-6", two small narrow verandah rooms 13'-6" x 7'-9" (of which one is intended to be the private room of the Moonsiff, while for what purpose the other is intended is not shown in the plan), and a small open verandah in the rear in one corner of the building.

3. The territorial jurisdiction of the Erode Moonsiff's Court extends over three large Taluqs, viz., Perundooray, Suttiamungalum, and Bhowany. The establishment of the Court consists of 9 Goomastahs, 4 copyists (who are, according to the rules, not allowed to sit apart from the Head Goomastah), 15 Vakeels and their private Goomastahs, 2 peons, 4 Ameens, and about 60 peons, besides parties and witnesses attending the Court, whose number is great.

4. The only place available for the accommodation of these people is a verandah room, 13'-6" x 7'-9", and the small verandah thrown open before it. The Goomastahs and copyists cannot, however, be allowed to sit in the verandah, and it is quite impossible that they can sit in the said room, which is indeed not sufficient to hold their desks (their dufters besides) even if they were to be placed into it in two rows. The Court must also be aware that it would not be just, in point of health, to make any one sit and work during the best part of the day under a tile-roofed verandah of 6 feet height at a place like Erode.

5. It may be said that the hall (which in length is not in proportion to its width) is spacious, and that it may, to a certain extent, accommodate the establishment and the parties and their Vakeels; but the Moonsiff begs to observe that Goomastahs can under no circumstances be allowed to sit in it, both for the safety of the records and the effectual discharge of their duties, as it is thrown open during official hours to the parties and Vakeels, as well as to spectators, without restriction.

6. In addition to these defects, the Moonsiff respectfully begs to bring to the notice of the Court that no provision has been made in the plan and estimate for shelving the record-room (which appears to be a very small one, and which the Moonsiff presumes will not answer the purpose for which it is intended); for a room to secure the articles and a shed with compound, enclosed by railings, to shelter the cattle attached in execution of decrees; for a place to accommodate the Vakeels and their Goomastahs; and for a compound wall, with a closed door-way, to prevent the building from being injured by stray-cattle.

7. The Moonsiff met Mr. Wiffin, the Range Officer, Department Public Works, yesterday, at Erode, on his way to Bhowany, and, on speaking to him on the subject, he fully agreed with him in thinking that the proposed building would not answer for a Court-house. The Moonsiff requested him to suspend the commencement of the work for a few days, or until such time as the result of this application may be known, but his reply was that it was impossible for him to do so, as he has been instructed by the Superintending Engineer to commence the work without delay; he also expressed his regret that it was not in his power to suggest any improvement.

8. Under these circumstances, the Moonsiff respectfully craves the Court to take this important subject, which bears both upon the protection of human health and public advantage, into its benevolent consideration, and with the Superintending Engineer's advice, or otherwise, as the Court may think proper, submit a revised plan and estimate in time, providing for the different accommodations above detailed, with its recommendation to Government, showing to it the necessities which compel a deviation from following the standard plan (which may have been well adapted for a Court-house under circumstances which existed at the time it was framed), and obtain the sanction for the erection of a Court-house which would in every respect be complete in itself, reasonably and sufficiently accommodating the Moonsiff and his establishment, as well as the suitors and witnesses who resort to it for justice.

9. The Moonsiff before concluding this address, begs to inform the Court that Mr. Wiffin has told him that he was going to excavate the foundation yesterday evening, and he (Moonsiff), therefore, respectfully begs to suggest that the Court will be pleased to have instructions issued

to Mr. Wiffin, through the proper authority, to suspend the work, which, he believes, would save the Government from being put to additional expense, since a revision of the plan is, in his humble opinion, very highly needed.

DISTRICT MOONSIFF'S COURT,

ERODE, 4th June 1867.

To the Civil Court, Coimbatore.

(Signed) T. V. PONNOOSAWMY,

District Moonsiff.

No. 51.

MEMORANDUM.

The District Moonsiff of Erode begs to acknowledge the receipt of the Proceedings of the Civil Court under date the 10th instant, calling upon him, with reference to his Memorandum, dated the 4th idem, adverting to the new Court-house to be erected at Erode, to give full particulars as to the number of persons to be accommodated, and into what number of rooms they are to be distributed; as well as to state whether the verandah in the rear of the Court-house, shown in the plan, cannot, if converted into a room, answer as a record-room, so that the Goomastahs may be distributed into two of the remaining rooms, and the fourth room be made available as a private room.

2. In reply, the District Moonsiff respectfully begs leave to submit that the records of his Court, deducting those that have been recently destroyed under the orders of the High Court, and those that are sent up monthly to the Civil Court, are tied up into 260 bundles of different sizes, and are liable to increase every day; that they consist of Registers of Suits, Diaries, Accounts, &c., which can neither be destroyed nor removed to the Civil Court; that some of them are secured in three wooden boxes without any kind of ventilation whatever, and the rest heaped up on a wooden stand; that the proposed verandah-room being but of 6 feet height, the records can only be arranged on shelves only in one or two rows; and that, under these circumstances, it would not answer as a record-room.

3. The Moonsiff thinks that the said room, together with the other verandah-room in front of it, might sufficiently accommodate the Goomastahs and copyists; but, by adopting this plan, he fears that the record-room originally proposed in the plan would be deprived of both air and light (while, for the same reason, it would not answer as a Goomastah's room), and that there would not be an inch of space left for the accommodation of the batta establishment, or of the parties and witnesses resorting to the Court.

4. The Moonsiff begs to observe that the main building, according to the standard plan, does not measure more than 30' x 13'-6", which includes the record-room and a portion of the hall, while the rest of the hall and the other two rooms are but mere enclosed verandahs. The following accommodations are, therefore, in the Moonsiff's humble opinion, indispensably necessary.

i. *A Court hall.*—This hall should provide space for a bench (6 feet), a Goomastah's table (4 feet), a Vakeels' table (12 feet), and a vacant space of about 12 or 15 feet in length with proportionate width, together with a 10 feet verandah attached to it on three sides, for the accommodation of suitors and witnesses and the batta establishment.

ii. *A private-room* adjoining the Court hall, 12 or 15 feet square.

iii. *A record-room.*—Records, most part of which consists of thick brown paper, are devoured by insects, being shut up in wooden boxes without ventilation. Again, the waste of time and labor in searching for any paper when it is required for reference is indeed great. The searcher has to take out from the boxes all the dufters they contain before he can lay his hand upon the paper of which he is in quest. It is, therefore, necessary that there should be a record-room at least, 20' x 20', shelved all around three feet apart in height, so that the dufters may be labelled, numbered, and arranged, as to enable the searcher to see at a glance where to find the paper that may be required by him.

iv. *Goomastah's rooms.*—One room would suffice, if it be large enough, to accommodate 16 persons. If the Goomastahs are to be provided with two rooms, then each must be capable to

accommodate 8 persons. Care should be taken that sufficient space is allowed for their desks and dufters. At present there are 9 Goomastahs and 4 Copyists. It sometimes becomes necessary to appoint temporary additional copyists, according to the demand for copyists. It is for this reason that provision for 16 persons is suggested.

v. *A room to secure attached property.*—Documents may be valuable to parties concerned but are not so enticing as property. Valuables are sometimes attached, both prior to, and after, judgment, and are removed to, and kept in, the Court-house until the arrival of the date fixed by law for their disposal either by sale or return to the owner. Sometimes large bales, such as of cotton, &c., are taken under attachment; and, such being the case, a separate room, well secured with strong doors, is necessary to protect the attached articles from damage and thieves; for the Court must be aware that the Court-house is not guarded by anybody, but left to the care of the Police beat peons, who are said to visit it once or twice during their night-rounds.

vi. *A cattle pound.*—This is required to prevent the escape of attached cattle, and to hinder stray-cattle from partaking their fodder.

vii. *Accommodation for the batta establishment, parties, and witnesses.*—The verandahs, which will be necessarily attached to the main building, could be made available for them.

5. The Moonsiff, in conclusion, respectfully begs to submit, herewith, a rough sketch of a building he would humbly propose for a Court-house. The plan may be inaccurate, but as it is intended merely to show the several accommodations that are needed, he would not press the Court to adopt it, unless it meet with the approbation of the Court and of the Department of Public Works.

6. The sketch provides a Court hall with verandahs on three sides, which can be made available for parties, &c. Behind this hall is a large room, divided in the centre by a wall. One of these divisions is again divided into two rooms—one for a private room, and the other for some of the Goomastahs; and the other division into two rooms also—one for the Head Goomastah and copyists, and the other for the records. The records will have to be arranged on shelves, and the floor of the room can be used for securing attached property, save live-stock; while the verandah on the three sides of this room would be available for the batta establishment, consisting of about 64 persons, whose number is liable to increase as the file of the Court becomes heavy.

7. No provision is made for the accommodation of the Vakeels and their Goomastahs, for, if necessary, they can provide themselves with a building of their own for their private use.

DISTRICT MOONSIFF'S COURT,

ERODE, BHOWANY,

15th June 1867.

To the Civil Court, Coimbatore.

(Signed) T. V. POONNOOSAWMY,

District Moonsiff.

From the Superintending Engineer, 7th Division, to the Civil Judge of Coimbatore; dated Camp Erode, 2nd July 1867, No. 71.

I consider the plan of Moonsiff's Court enclosed with your letter, No. 76, of 29th June, a

ENCLOSURES.

1. Erode Moonsiff's letter, No. 55, of 20th June 1867.

1. Do. do. do. No. 51, of 15th do.

1. Collegial do. do. 19th do.

1. Standard Plan.

1. Proposed Plan.

1. Sketch of cattle pound.

very sensible one, and, judging from the only Moonsiff's Court I ever had an opportunity of visiting while its work was going on, I am not inclined to think the demand for additional space excessive. I would, however, increase the smaller Goomastah's room and diminish the

record-room by four feet, and connect the former with the larger Goomastah's room by an open archway, without which the latter will be hot and close.

2. I observe from the correspondence you have sent me that the Erode Moonsiff, as well as he of Collegial, brings to notice the necessity for a covered cattle pound. I, therefore, forward the Sketch Plan of such a building received from Collegial, to be approved by Government at the same time that they pass orders on the plan of the main building. A plan of a standard Moonsiff's Court is also sent for comparison; and the enclosures of your letters are returned.

No. 286.

ORDER THEREON, 25th July 1867, No. 1191.

Before sanctioning the modifications proposed by the Civil Judge of Coimbatore in the plan of the new Moonsiff's Court at Erode, the Government would wish to be informed by Mr. Cook what is the practice in respect to the custody of distrained property by the Moonsiff's Courts, and whether they are under any injunction to bring all distrained moveable property to the Court itself.

2. It would seem, in the case of bulky articles or cattle attached, that it would be more convenient that such property should be kept in safe custody at the villages where the property itself is attached.

(True Extract).

Acting Chief Secretary.

To the Civil Judge of Coimbatore.

„ Public Works Department.

Exd. J. H. Burns.

48
Judicial Department

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Civil Judge of Coim-
bator.

(Received 9th July 1867 No. 10)

Order thereon 25th July 1867 No. 1191.

Before sanctioning the
modifications proposed by the
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in the plan of the new Mou-
ndiff's Court at ~~Coimbatore~~^{Coimbatore},
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To the Civil Judge of Combarator
Cultural Works Dept

3/7

Memorandum
to the

Justice 1867. Department.

No. 1191.

PROCEEDINGS OF GOVERNMENT.

Attest 1091.

Dated 25th July 1867.

285-286